



GARY R. HERBERT  
Governor

GREGORY S. BELL  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

January 26, 2010

CERTIFIED RETURN RECEIPT  
7004 2510 0004 1824 7340

TM Crushing  
PO Box 437  
Lehi, Utah 84043

Subject: Proposed Assessment for State Cessation Order No. MC-2010-17-09, TM Crushing,  
Talon's Cove Pit, S/049/0081, Utah County, Utah

**Response Due By: 30 Days of Receipt**

Dear Mr. Roberts:

The undersigned has been appointed by the Division of Oil, Gas & Mining as the Assessment Officer for assessing penalties under R647-7.

Enclosed is the proposed civil penalty assessment for the above referenced cessation order. The cessation order was issued by Division Inspector, Lynn Kunzler, on 10/20/2010. Rule R647-7-103 et. seq. has been utilized to determine the proposed penalty of \$000. The enclosed worksheet outlines how the civil penalty was assessed.

By these rules, any written information which was submitted by you or your agent within fifteen (15) days of receipt of this Cessation Order has been considered in determining the facts surrounding the violation and the amount of this penalty.

Under R647-7-106, there are two informal appeal options available to you. You may appeal the 'Fact of the Violation', the proposed civil penalty, or both. If you wish to informally appeal you should file a written request for an Informal Conference within thirty 30 days of receipt of this letter.

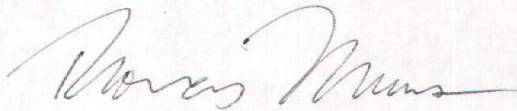


Page 2 of 6  
TM Crushing  
S/049/0081  
January 26, 2011

The informal conference will be conducted by a Division-appointed Conference Officer. The informal conference for the fact of the violation is distinct from the informal assessment conference regarding the proposed penalty. If you wish to review both the fact of the violation and proposed penalty assessment, you should file a written request for an Assessment Conference within thirty (30) days of receipt of this letter. If you are also requesting both a review of the fact of violation, and the proposed penalty, the assessment conference will be scheduled immediately following the review of the fact of the violation.

**If a timely request for review is not made, the fact of the violation will stand, the proposed penalty will become final, and will be due and payable within thirty (30) days of the date of this proposed assessment (by February 28, 2011).** Please remit payment to the Division, mail c/o Vicki Bailey.

Sincerely,



Thomas Munson  
Assessment Officer

TM:eb

Enclosure: Proposed assessment worksheet

cc: Vicki Bailey, Accounting  
Vickie Southwick, Exec. Sec.

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